

Montgomery.	Shires.
Morgan	Strickland.
of Robertson.	Wells.
Pinkston.	Wessels.
Pope.	Wilmans.
Satterwhite.	

Absent—Excused.

Baker of Milam.	Purl.
Baker of Orange.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Houston.	Turner.
Hughes.	

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read first time, and referred to appropriate committees, as follows:

Senate bill No. 168, to Committee on School Districts.

Senate bill No. 171, to Committee on School Districts.

Senate bill No. 104, to Committee on Banks and Banking.

RECESS.

Mr. Jones moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Pope moved that the House recess until 10 o'clock a. m. tomorrow.

The motion of Mr. Pope prevailed, and the House, accordingly at 5:50 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

TWENTY-FIRST DAY.

(Continued.)

(Tuesday, February 6, 1923.)

The House met at 10 o'clock a. m., and was called to order by Speaker Seagler.

HOUSE BILL NO. 1 ON SECOND READING.

On motion of Mr. Melson, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act appropriating three million five hundred thousand dollars (\$3,500,000) out of the State Treasury to aid and promote all the public schools of this State for the scholastic year be-

ginning September 1, 1922, and ending August 31, 1923, the same to be distributed as the available school fund is now distributed, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Melson offered the following (committee) amendment to the bill:

Amend House bill No. 1 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. For the purpose of promoting and aiding all the public schools of the State three million (\$3,000,000) dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the same to be added to the available school funds for the scholastic year beginning September 1, 1922, and ending August 31, 1923, and to be distributed in accordance with the statutes now controlling the distribution of the available school funds of this State, as shown by Articles Nos. 2725, 2726, Chapter 9, Title 48, Revised Civil Statutes of the State of Texas, and provided the funds herein appropriated shall not be used for school year 1922-23 for any purpose except to extend the school term for the school year 1922-23.

Sec. 2. Any person or persons having the authority to expend the funds herein appropriated who shall violate the above provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in the sum of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars; and providing further that each and every separate act shall constitute a separate offense.

Sec. 3. That fact that many of the public schools of this State are in imminent danger of being closed for lack of funds, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each house be suspended, and that this act shall take effect and be in force from and after its passage and said rule is hereby suspended and it is so enacted.

The amendment was adopted.

Mr. Melson offered the following (committee) amendment to the bill:

Amend House bill No. 1 by substituting the following before the enacting clause:

"An Act appropriating three million (\$3,000,000) dollars out of the State Treasury to aid and promote all the

public schools of this State for the scholastic year beginning September 1, 1922, and ending August 31, 1923; providing for the distribution of same for certain purposes as available funds are now distributed; providing a penalty for violation of provision of the act, and declaring an emergency."

The amendment was adopted.

Mr. Bird offered an amendment to the bill:

Mr. Beasley raised a point of order on consideration of the amendment, on the ground that the amendment proposes to amend an amendment already adopted by the House.

The Speaker sustained the point of order.

Mr. Baldwin moved that the House reconsider the vote by which (committee) amendment No. 1 was adopted.

On motion of Mr. Greer, the motion to reconsider was tabled.

Mr. Rice offered the following amendment to the bill:

Amend House bill No. 1 as amended by inserting the words, "or so much thereof as may be necessary" after the words "three million (\$3,000,000) dollars" wherever the words "three million (\$3,000,000)" appear in the bill.

Mr. Burmeister raised a point of order on consideration of the amendment, on the ground that the amendment proposes to amend an amendment already adopted by the House.

The Speaker overruled the point of order.

Mr. Fields moved the previous question on the amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Rice, it was lost.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 1 was then passed to engrossment by the following vote:

Yeas—110.

Amsler.	Carson.
Arnold.	Carter of Coke.
Avis.	Carter of Hays.
Baker of Orange.	Chitwood.
Barker.	Coffee.
Barrett.	Collins.
Beasley.	Covey.
Bell.	Cowen.
Blount.	Crawford.
Bonham.	Davenport.
Bryant.	Davis.
Burmeister.	DeBerry.
Cable.	Dielmann.

Dodd.	Montgomery.
Downs.	Moore.
Driggers.	Morgan
Duffey.	of Liberty.
Dunlap.	Morgan
Dunn.	of Robertson.
Durham.	Pate.
Edwards.	Patman.
Faubion.	Patterson.
Fields.	Perdue.
Finlay.	Pinkston.
Fugler.	Pope.
Green.	Potter.
Greer.	Price.
Hardin	Purl.
of Kaufman.	Quaid.
Harris.	Quinn.
Henderson	Rice.
of McLennan.	Robinson.
Hendricks.	Rogers.
Henderson	Rountree.
of Marion.	Russell
Houston.	of Callahan.
Howeth.	Sackett.
Irwin.	Sanford.
Jacks.	Shearer.
Jennings.	Shires.
Johnson.	Simpson.
Jones.	Smith.
Kemble.	Sparkman.
Lackey.	Stevens.
Laird.	Stewart
Lamb.	of Edwards.
Lane.	Stroder.
Loftin.	Sweet.
Looney.	Thompson.
McBride.	Thrasher.
McDaniel.	Turner.
McDonald.	Vaughan.
McFarlane.	Wallace.
McNatt.	Wells.
Maxwell.	Williamson.
Melson.	Wilmans.
Merriman.	Wilson.
Merritt.	Winfree.
Miller.	Young.

Nays—11.

Abney.	Satterwhite.
Atkinson.	Stewart of Jasper.
Carpenter	Stewart of Reeves.
of Matagorda.	Storey.
LeSturgeon.	Westbrook.
Martin.	Wessels.

Absent.

Baldwin.	Hull.
Bird.	LeMaster.
Brady.	Lewis.
Carpenter	Lusk.
of Dallas.	McKean.
Culp.	Mathes.
Frnka.	Pool.
Gipson.	Strickland.
Harrington.	Teer.

Absent—Excused.

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

Reasons for Votes.

I vote for House bill No. 1, being the emergency school bill, under protest, believing there is an emergency but feel the amount asked is too large.

IRWIN.

I vote "no" on the engrossment of House bill No. 1 for the reason that it means an additional deficit in the general revenue, which now amounts to more than \$2,000,000. It only means an extension of schools about one month and we should save this money for the next scholastic year.

SATTERWHITE.

HOUSE BILL NO. 1 ON THIRD READING.

Mr. Green moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Amsler.	Duffey.
Arnold.	Dunlap.
Avis.	Dunn.
Baker of Orange.	Durham.
Barker.	Edwards.
Barrett.	Faubion.
Beasley.	Fields.
Bird.	Finlay.
Blount.	Fugler.
Bonham.	Gipson.
Burmeister.	Green.
Cable.	Greer.
Carpenter	Hardin
of Matagorda.	of Kaufman.
Carson.	Harris.
Carter of Coke.	Henderson
Carter of Hays.	of Marion.
Chitwood.	Hendricks.
Coffee.	Houston.
Collins.	Howeth.
Covey.	Jacks.
Cowen.	Jennings.
Davenport.	Johnson.
Davis.	Jones.
DeBerry.	Kemble.
Dielmann.	Lackey.
Dodd.	Laird.
Downs.	Lane.
Driggers.	Looney.

McBride.	Rogers.
McDaniel.	Rountree.
McFarlane.	Russell
McNatt.	of Callahan.
Maxwell.	Sackett.
Melson.	Sanford.
Merriman.	Satterwhite.
Merritt.	Shearer.
Miller.	Shires.
Montgomery.	Simpson.
Moore.	Smith.
Morgan	Sparkman.
of Liberty.	Stewart
Morgan	of Edwards.
of Robertson.	Stewart of Jasper.
Pate.	Stroder.
Patman.	Sweet.
Patterson.	Thompson.
Perdue.	Thrasher.
Pinkston.	Turner.
Pope.	Vaughan.
Potter.	Wallace.
Price.	Wells.
Purl.	Williamson.
Quaid.	Wilmans.
Quinn.	Wilson.
Rice.	Winfree.
Robinson.	Young.

Nays—8.

Abney.	Martin.
Atkinson.	Stewart of Reeves.
Henderson	Westbrook.
of McLennan.	Wessels.
Irwin.	

Present—Not Voting.

Bryant.	Stevens.
	Absent.
Baldwin.	LeSturgeon.
Bell.	Lewis.
Brady.	Loftin.
Carpenter	Lusk.
of Dallas.	McDonald.
Crawford.	McKean.
Culp.	Mathes.
Frnka.	Pool.
Harrington.	Storey.
Hull.	Strickland.
Lamb.	Teer.
LeMaster.	

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

The Speaker then laid House bill No. 1 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107.

Amsler.	Loftin.
Arnold.	Looney.
Avis.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Barrett.	McFarlane.
Beasley.	McNatt.
Blount.	Maxwell.
Bonham.	Melson.
Bryant.	Merriman.
Burmeister.	Merritt.
Cable.	Miller.
Carpenter	Montgomery.
of Matagorda.	Moore.
Carson.	Morgan
Carter of Coke.	of Liberty.
Carter of Hays.	Morgan
Chitwood.	of Robertson.
Coffee.	Pate.
Collins.	Patman.
Covey.	Patterson.
Cowen.	Perdue.
Davenport.	Pinkston.
Davis.	Pool.
DeBerry.	Price.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Rountree.
Durham.	Russell
Edwards.	of Callahan.
Fields.	Sackett.
Finlay.	Sanford.
Fugler.	Shearer.
Green.	Shires.
Greer.	Simpson.
Hardin	Smith.
of Kaufman.	Sparkman.
Harris.	Stevens.
Henderson	Stewart
of Marion.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Stroder.
Hendricks.	Sweet.
Houston.	Teer.
Howeth.	Thompson.
Irwin.	Thrasher.
Jacks.	Turner.
Jennings.	Vaughan.
Johnson.	Wallace.
Jones.	Wells.
Kemble.	Williamson.
Lackey.	Wilmans.
Laird.	Wilson.
Lamb.	Winfree.
Lane.	Young.

Nays—10.

Abney.	Satterwhite.
Atkinson.	Stewart of Reeves.
Bird.	Storey.
LeStourgeon.	Westbrook.
Martin.	Wessels.

Absent.

Baldwin.	Harrington.
Bell.	Hull.
Brady.	LeMaster.
Carpenter	Lewis.
of Dallas.	Lusk.
Crawford.	McKean.
Culp.	Mathes.
Dielmann.	Pope.
Faubion.	Potter.
Frnka.	Purl.
Gipson.	Strickland.

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

HOUSE BILL NO. 39 ON SECOND READING.

On motion of Mr. McDonald, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 39, A bill to be entitled "An Act, on the subject of education, making provision for an opening exercise, in all the class and assembly rooms of the public schools of this State, to consist of readings, without comment, of appropriate passages from the Bible with religious or patriotic song; making it the duty of all school trustees, superintendents, principals and teachers to conduct or to cause to be conducted by some one under his or her direction, the exercise provided for herein and making suitable provision for punishment and removal from office, or position, of any trustee, superintendent, principal or teacher who fails or omits to discharge the duties devolved on him or her by the provisions of this act; and also providing in a directory provision for prayer as a part of the exercise, whenever it is practicable, and exempting any child or children from participating in said exercises whose parent or guardian objects because of conscientious religious scruples."

The Speaker laid the bill before the House, and it was read second time.

On motion of Mr. McDonald, further consideration of the bill was postponed until 10 o'clock a. m. next Thursday.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Williamson, by unanimous consent, House bill No. 46 was ordered not printed.

BILL RECOMMITTED.

On motion of Mr. Barrett, by unanimous consent, House bill No. 352 was recommitted to the Committee on School Districts.

BILL RE-REFERRED.

On motion of Mr. Dodd, by unanimous consent, Senate bill No. 62 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Public Health.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 126, "An Act creating the Weimar Independent School District, in Colorado county, Texas; defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district; naming the fiscal year as to taxes, prescribing the method of changing the boundaries of said district, providing that should any section or sections of this act be by the courts declared unconstitutional, the validity of the remainder of this act shall not be thereby affected; providing that the maintenance now be levied, assessed and collected in Common School District No. 14, by this act created into Weimar Independent School District, shall not be abrogated, etc., and declaring an emergency."

S. B. No. 120, "An Act authorizing cities having more than twenty-five thousand inhabitants and owning and operating their own waterworks system to acquire by purchase, gift, devise or by the right of eminent domain through and by condemnation proceedings, the necessary lands and property, public or private, including riparian rights, lying within any such city or in any county in the State for the purpose of constructing reservoirs and for the purpose of the extension, construction, improvement and enlargement of the said waterworks systems, including the construction of dams, wells, water supply reservoirs, water sheds and such other necessary appurtenances and facilities in order to furnish to any such city an adequate supply of wholesome water; defining the governing authorities and prescribing the procedure in cases of the exercise of the right of eminent domain

by condemnation, and providing for an emergency."

HOUSE BILL NO. 47 ON SECOND READING.

On motion of Mr. Potter, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 47, A bill to be entitled "An Act to amend Sections One (1) and Fifteen (15) of Chapter Eighty-one (81) of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter Thirty-four (34) of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth (36th) Legislature, approved July 25, 1919, as amended by Chapter One Hundred Nineteen (119) of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh (37th) Legislature, approved March 31, 1921, extending the term of said commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, until the last Saturday in June, 1925, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Abney offered the following amendment to the bill:

Amend House bill No. 47 by striking from line 29, page 2, words "June, 1925;" insert in lieu thereof "December, 1924."

The amendment was lost.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 47, page 2, line 14, of printed bill, after the word "them," by changing the period to a comma, and insert the following: "Provided, that it shall not be necessary for said judges to write opinions on any question or matter referred to them, but the judges shall supply the Supreme Court with a memorandum of their decision, which shall not be printed, but shall only be used by the Supreme Court for their information in disposing

of the matter or question and in writing their opinion."

The amendment was lost.

Mr. Wessels offered the following amendment to the bill:

Amend House bill No. 47, page 1, line 37, to strike out the word "six" and place in lieu thereof the word "three."

Question—Shall the amendment be adopted?

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 105, A bill to be entitled "An Act creating and incorporating Webster Independent School District in Harris county, Texas, out of the territory now composing Common School Districts Nos. 19 and 13 of said county; providing that the title of the school property vested in said Common School Districts Nos. 19 and 13 shall vest in said Webster Independent School District, and that said independent school district assume the debts of said Common School Districts Nos. 19 and 13; providing for the board of trustees of said Webster Independent School District; providing the time and manner of their election; defining their power and duties, and declaring an emergency."

H. B. No. 240, A bill to be entitled "An Act creating and incorporating the Harmony Independent School District in Terry county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for a collector and assessor of taxes, and a board of equalization; providing that said Harmony Independent School District shall assume and discharge its pro rata part of any bonds and indebtedness that may be owing by the Gomez Independent School District in Terry county, Texas; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district, and providing that title to any and all property in such common school district

shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provision of this act, and declaring an emergency."

The Senate returns to the House Senate bills Nos. 92 and 93 for further consideration.

The Senate refused to engross Senate bill No. 145 by the following vote: 7 yeas and 18 nays.

Respectfully,

RICHARD BLALOCK,
Assistant Secretary of the Senate.

RECESS.

Mr. Moore moved that the House recess to 3 o'clock p. m. today.

Mr. Barker moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Moore prevailed and the House accordingly, at 12:10 o'clock p. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 92, to the Committee on Judicial Districts.

Senate bill No. 93, to the Committee on Judicial Districts.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 129, "An Act to create the Eighty-seventh Judicial District Court in the counties of Limestone and Free-stone in the State of Texas, in addition to the Seventy-seventh District Court now existing in said counties; to provide for the terms and jurisdiction

thereof in said counties and for grand juries in said counties; for the appointment of a district judge and a district attorney of said district court and providing for their duties, and for the duties of county attorneys in said counties with respect to said court; for the transfer of cases from the docket of the court so created to the docket of the Seventy-seventh District Court and form the docket of the Seventy-seventh District Court to the court hereby created in said counties so as to provide for the clerk of said court in said counties and for the filing of causes and the preparation of dockets, and for the prosecution of criminal causes in said court in said counties by the district attorney to be appointed for said Eighty-seventh District Court, and in his absence by the county attorney of the respective counties, and likewise for the prosecution of causes in the Seventy-seventh District Court by the district attorney of the Eighty-seventh District Court, and in his absence by the county attorneys of the respective counties, making process now issued valid and binding to said new court with other provisions, and declaring an emergency."

HOUSE BILL NO. 47 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 47, extending the term of the Commission of Appeals, on its passage to engrossment, with amendment by Mr. Wessels pending.

Mr. Maxwell moved the previous question on the amendment and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Wessels, it was lost.

Mr. Abney offered the following amendment to the bill:

Strike from line 2, page 2, words "same salary;" insert in lieu thereof "\$5000 per annum."

Mr. Maxwell moved the previous question on the amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—44.

Abney.
Atkinson.
Avis.

Barker.
Beasley.
Bryant.

Burmeister.
Cable.
Collins.
Crawford.
Davis.
Dodd.
Downs.
Driggers.
Durham.
Fields.
Finlay.
Frnka.
Fugler.
Howeth.
Irwin.
Laird.
Loftin.
Looney.
McBride.
McDaniel.
McFarlane.

Merritt.
Morgan
of Robertson.
Patterson.
Perdue.
Pinkston.
Rice.
Robinson.
Russell
of Callahan.
Smith.
Stevens.
Stewart
of Edwards.
Stewart of Jasper.
Storey.
Thompson.
Vaughan.
Wessels.
Wilson.

Nays—60.

Mr. Speaker.
Amsler.
Baker of Orange.
Baldwin.
Bell.
Bird.
Bonham.
Carpenter
of Matagorda.
Carson.
Carter of Coke.
Carter of Hays.
Chitwood.
Coffee.
Covey.
Cowen.
Davenport.
DeBerry.
Dielmann.
Dunn.
Edwards.
Gipson.
Green.
Greer.
Hardin
of Kaufman.
Harrington.
Harris.
Henderson
of Marion.
Henderson
of McLennan.
Hendricks.
Houston.
Hull.
Jennings.

Jones.
Kemble.
Lamb.
Lane.
LeSturgeon.
McDonald.
McNatt.
Martin.
Maxwell.
Melson.
Merriman.
Miller.
Moore.
Morgan
of Liberty.
Patman.
Pope.
Potter.
Purl.
Quaid.
Quinn.
Rogers.
Rountree.
Satterwhite.
Shearer.
Shires.
Simpson.
Sparkman.
Sweet.
Thrasher.
Turner.
Wallace.
Westbrook.
Wilmons.
Winfree.
Young.

Present—Not Voting.

Lackey.

Absent.

Arnold.
Barrett.
Blount.

Brady.
Carpenter
of Dallas.

Culp.	Pate.
Duffey.	Pool.
Dunlap.	Price.
Faubion.	Sackett.
Jacks.	Sanford.
Johnson.	Stewart of Reeves.
LeMaster.	Strickland.
Lewis.	Stroder.
Lusk.	Teer.
McKean.	Wells.
Mathes.	Williamson.
Montgomery.	

Absent—Excused.

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 47 was then passed to engrossment by the following vote:

Yeas—96.

Mr. Speaker.	Harris.
Amsler.	Henderson
Baker of Orange.	of Marion.
Baldwin.	Henderson
Barrett.	of McLennan.
Beasley.	Hendricks.
Bell.	Houston.
Bird.	Hull.
Bonham.	Irwin.
Brady.	Jacks.
Bryant.	Jennings.
Burmeister.	Jones.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carter of Coke.	Laird.
Carter of Hays.	Lamb.
Chitwood.	Lane.
Coffee.	LeSturgeon.
Covey.	McDonald.
Cowen.	McFarlane.
Davenport.	McNatt.
DeBerry.	Martin.
Dielmann.	Maxwell.
Downs.	Melson.
Driggers.	Merriman.
Duffey.	Miller.
Dunlap.	Montgomery.
Dunn.	Moore.
Durham.	Morgan
Edwards.	of Liberty.
Faubion.	Morgan
Frnka.	of Robertson.
Fugler.	Patman.
Gipson.	Patterson.
Green.	Perdue.
Greer.	Pool.
Hardin	Pope.
of Kaufman.	Potter.
Harrington.	Purl.

Quaid.	Stewart
Quinn.	of Edwards.
Rice.	Stroder.
Robinson.	Sweet.
Rogers.	Teer.
Rountree.	Thrasher.
Russell	Turner.
of Callahan.	Vaughan.
Satterwhite.	Wallace.
Shearer.	Wells.
Shires.	Wilmans.
Simpson.	Winfree.
Smith.	Young.
Sparkman.	

Nays—25.

Abney.	Looney.
Atkinson.	McBride.
Avis.	McDaniel.
Barker.	Merritt.
Cable.	Pinkston.
Carson.	Stevens.
Collins.	Stewart of Jasper.
Crawford.	Storey.
Davis.	Thompson.
Dodd.	Westbrook.
Fields.	Wessels.
Howeth.	Wilson.
Loftin.	

Absent.

Arnold.	McKean.
Blount.	Mathes.
Carpenter	Pate.
of Dallas.	Price.
Culp.	Sackett.
Finlay.	Sanford.
Johnson.	Stewart of Reeves.
LeMaster.	Strickland.
Lewis.	Williamson.
Lusk.	

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

Mr. Henderson of McLennan moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 309 ON SECOND READING.

On motion of Mr. Davenport, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 309, A bill to be entitled "An Act constituting Bexar county the Thirty-seventh, Forty-fifth, Fifty-seventh,

Seventy-third, and Ninety-fourth Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh, and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment of a suitable person by the Governor as judge of the Ninety-fourth Judicial District to hold until the next general election; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District to be the district attorney of all of said courts; and providing for the empaneling of grand juries in the Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial Districts, and providing that the said grand juries shall return all bills of indictment to the court in which said grand jury was empaneled; and providing that said Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial District Courts shall give preference to the trial of criminal cases; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Dielmann offered the following amendment to the bill:

Amend House bill No. 309 by striking out all after the enacting clause and insert the following:

Section 1. That Bexar county shall constitute the Thirty-seventh Judicial District.

Sec. 2. That Bexar county shall constitute the Forty-fifth Judicial District.

Sec. 3. That Bexar county shall constitute the Fifty-seventh Judicial District.

Sec. 4. That Bexar county shall constitute the Seventy-third Judicial District.

Sec. 5. That Bexar county shall constitute the Ninety-fourth Judicial District.

Sec. 6. The judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts, as heretofore existing, shall be and remain judges of the respective courts as provided in this act, until the expiration of their respective terms of office to which they were elected, and until their successors are elected and qualified.

Sec. 7. The Governor shall appoint a suitable person possessing the qualifications as prescribed by Section 7, Article

5, of the Constitution, as judge of the Ninety-fourth Judicial District Court as herein constituted, who shall hold such office until the next general election and until his successor shall have been elected and qualified. The judges of said courts shall hereafter be elected as provided by the Constitution and laws of the State for the election of district judges.

Sec. 8. That the jurisdiction of said district courts of Bexar county herein created by this act shall be concurrent and shall extend with the limits of Bexar county over all cases, proceedings and matters of which district courts are given jurisdiction by the Constitution and the laws of this State, except, and as hereinafter provided, the courts of the Thirty-seventh and Ninety-fourth Judicial Districts shall give preference to the trial of criminal cases and that the Ninety-fourth District Court shall also, next to the trial and determination of criminal causes, try and determine causes for divorce between husband and wife, the custody of children, and the adjudication of property rights in connection therewith, have power to issue writs of habeas corpus, mandamus, injunctions and certiorari and all writs necessary to enforce its jurisdiction, and may appoint receivers under the conditions and as provided by Article 2128, Revised Civil Statutes of the State of Texas, and shall try and determine no other causes; and the said Thirty-seventh district court and the Ninety-fourth district court shall empanel grand juries.

Sec. 9. The terms of the district courts of the Thirty-seventh Judicial District, Forty-fifth Judicial District and the Ninety-fourth Judicial District, shall be held as follows: One term beginning on the first Monday in October, and may continue in session until the last Saturday before the first Monday in November. One term beginning on the first Monday in November, and may continue in session until the last Saturday before the first Monday in January. One term beginning on the first Monday in January, and may continue in session until the last Saturday before the first Monday in March. One term beginning on the first Monday in March, and may continue in session until the last Saturday before the first Monday in May. One term beginning on the first Monday in May, and may continue in session until the last Saturday before the first Monday in July. The terms of

the district courts of Fifty-seventh and Seventy-third Judicial Districts, in said respective courts, shall be held as follows: One term beginning on the first Monday in October, and may continue in session until the last Saturday before the first Monday in December. One term beginning on the first Monday in December. One term beginning on the first Monday in December, and may continue until the last Saturday before the first Monday in February. One term beginning on the first Monday in February and may continue in session until the last Saturday before the first Monday in April. One term beginning on the first Monday in April and may continue in session until the last Saturday before the first Monday in June. One term beginning on the first Monday in June, and may continue in session until the last Saturday before the first Monday in July.

Sec. 10. That all writs and processes heretofore issued or that may hereafter be issued up to the time this act shall take effect by and from said district courts and made returnable to said terms of court as now fixed by law, shall be returnable to the next ensuing terms of said courts as fixed by this act; and all such writs and process shall be valid and legal.

Sec. 11. That the district attorney of the Thirty-seventh Judicial District shall be and remain the district attorney of the Thirty-seventh Judicial District as herein defined; and shall also represent the State in all cases, criminal and civil, in the Forty-fifth, Fifty-seventh, Seventy-third, and Ninety-fourth, and shall be elected by the qualified voters of said Thirty-seventh Judicial District.

Sec. 12. The judges of said district courts, may, in their discretion, or by agreement of the parties, transfer any civil or criminal suit or cause of action of which said court has jurisdiction as declared in this act, from one district court to another, by an order duly entered upon the minutes of the court, and when such transfer is made, the clerk shall enter such case or cases upon the docket of the court to which the transfer is made. When such transfer is so made, then all writs, processes, bonds and recognizances, civil and criminal, issued, executed or entered prior to the entry of such order of transfer in said suit or cause of action shall be transferred with said cause.

Sec. 13. The district court of the

Ninety-fourth Judicial District shall empanel a grand jury at the next term after this act becomes effective, and the district court of the Thirty-seventh Judicial District shall empanel a grand jury at the second term after this act becomes effective, and each of said courts shall, thereafter in regular rotation, empanel a grand jury in the order above named, so that each court shall empanel a grand jury alternately.

Sec. 14. The grand jury shall return their indictments into the court by which they were empaneled.

Sec. 15. The judge of the Forty-fifth Judicial District Court shall transfer every alternate criminal case on the docket in said court to the Ninety-fourth Judicial District Court as soon as this act takes effect and shall dispose of the remaining criminal cases on said docket in said court as speedily as possible, after which time said Forty-fifth District Court shall give preference to civil cases.

Sec. 16. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 17. The fact that there are now being filed in the district courts of Bexar county, Texas, more cases than can be speedily tried, creates an emergency and an imperative public necessity, requiring that bills be read on three several days, be suspended, and same is so suspended, and that this bill take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Dielmann offered the following amendment to the bill:

Amend House bill No. 309 by striking out all above the enacting clause and insert the following:

"A bill to be entitled 'An Act constituting Bexar county the Thirty-seventh, Forty-fifth, Fifty-seventh, Seventy-third and Ninety-fourth Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment of a suitable person by the Governor as judge of the Ninety-fourth Judicial District to hold office until the next general election; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District to be the district attorney of all of said courts; and providing the terms of said courts, and

providing for the empaneling of grand juries in the Thirty-seventh and Ninety-fourth Judicial Districts, and providing that the said grand juries shall return all bills of indictment to the court in which said grand jury was empaneled; and providing that said Thirty-seventh and Ninety-fourth Judicial District Courts shall give preference to the trial of criminal cases; and providing for the manner of transfer and disposition of cases on the docket of said courts and of cases from one district court to another, and declaring an emergency.' "

The amendment was adopted.

House bill No. 309 was then passed to engrossment.

HOUSE BILL NO. 309 ON THIRD READING.

Mr. Davenport moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 309 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Mr. Speaker.	Faubion.
Arnold.	Finlay.
Atkinson.	Frnka.
Avis.	Fugler.
Baker of Orange.	Gipson.
Baldwin.	Green.
Barker.	Greer.
Beasley.	Harrington.
Bell.	Hardin
Bonham.	of Kaufman.
Brady.	Harris.
Bryant.	Henderson
Burmeister.	of Marion.
Cable.	Henderson
Carpenter	of McLennan.
of Matagorda.	Hendricks.
Carson.	Houston.
Carter of Coke.	Howeth.
Carter of Hays.	Hull.
Chitwood.	Irwin.
Coffee.	Jacks.
Collins.	Jennings.
Covey.	Jones.
Cowen.	Kemble.
Crawford.	Lackey.
Davenport.	Laird.
DeBerry.	Lamb.
Dielmann.	Lane.
Dodd.	LeSturgeon.
Downs.	Looney.
Driggers.	McBride.
Duffey.	McDaniel.
Dunlap.	McDonald.
Dunn.	McFarlane.
Durham.	McNatt.

Martin.	Shires.
Mathes.	Simpson.
Maxwell.	Sparkman.
Melson.	Stevens.
Merritt.	Stewart
Montgomery.	of Edwards.
Morgan	Stewart of Jasper.
of Liberty.	Stewart of Reeves.
Pate.	Storey.
Patman.	Stroder.
Patterson.	Sweet.
Perdue.	Teer.
Pinkston.	Thompson.
Pool.	Thrasher.
Pope.	Turner.
Potter.	Vaughan.
Quaid.	Wallace.
Rice.	Wells.
Robinson.	Westbrook.
Rogers.	Wessels.
Russell	Wilmans.
of Callahan.	Wilson.
Sackett.	Winfree.
Satterwhite.	Young.
Shearer.	

Nays—1.

Davis.

Present—Not Voting.

Abney.

Bird.

Absent.

Amsler.	Merriman.
Barrett.	Miller.
Blount.	Moore.
Carpenter	Morgan
of Dallas.	of Robertson.
Culp.	Price.
Edwards.	Purl.
Fields.	Quinn.
Johnson.	Rountree.
LeMaster.	Sanford.
Lewis.	Smith.
Loftin.	Strickland.
Lusk.	Williamson.
McKean.	

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

The Speaker then laid House bill No. 309 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Avis.
Amsler.	Baker of Orange.
Arnold.	Baldwin.
Atkinson.	Barker.

Beasley.	Looney.
Bell.	McBride.
Bird.	McDaniel.
Bonham.	McFarlane.
Bryant.	McNatt.
Burmeister.	Martin.
Cable.	Mathes.
Carpenter	Maxwell.
of Matagorda.	Melson.
Carson.	Merritt.
Carter of Coke.	Miller.
Carter of Hays.	Montgomery.
Chitwood.	Morgan
Coffee.	of Liberty.
Collins.	Pate.
Cowen.	Patman.
Crawford.	Patterson.
Davenport.	Perdue.
DeBerry.	Pinkston.
Dielmann.	Pool.
Dodd.	Pope.
Driggers.	Potter.
Duffey.	Rice.
Dunn.	Rogers.
Durham.	Russell
Faubion.	of Callahan.
Finlay.	Sackett.
Frnka.	Satterwhite.
Fugler.	Shearer.
Gipson.	Shires.
Green.	Simpson.
Greer.	Smith.
Hardin	Sparkman.
of Kaufman.	Stewart
Harrington.	of Edwards.
Henderson	Stewart of Jasper.
of Marion.	Stewart of Reeves.
Henderson	Storey.
of McLennan.	Stroder.
Hendricks.	Sweet.
Houston.	Teer.
Howeth.	Thompson.
Hull.	Thrasher.
Irwin.	Turner.
Jacks.	Vaughan.
Jennings.	Wallace.
Kem ble.	Wells.
Lackey.	Westbrook.
Laird.	Wilmans.
Lamb.	Wilson.
Lane.	Young.
LeSturgeon.	

Nays—1.

Fields.

Present—Not Voting.

Abney.

Harris.

Absent.

Barrett.
Blount.
Brady.
Carpenter
of Dallas.
Covey.
Culp.

Davis.
Downs.
Dunlap.
Edwards.
Johnson.
Jones.
LeMaster.

Lewis.	Quaid.
Loftin.	Quinn.
Lusk.	Robinson.
McDonald.	Rountree.
McKean.	Sanford.
Merriman.	Stevens.
Moore.	Strickland.
Morgan	Wessels.
of Robertson.	Williamson.
Price.	Winfree.

Absent—Excused

Baker of Milam.	Purl.
Bobbitt.	Rowland.
Dinkle.	Russell of Trinity.
Hardin of Erath.	Stell.
Hughes.	Stiernberg.

HOUSE BILL NO. 70 ON SECOND READING.

On motion of Mr. Carpenter of Matagorda, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 70, A bill to be entitled "An Act to amend Article 2178, Chapter 24, Title 37, of the Revised Civil Statutes of Texas, making attorney's fees recoverable in certain cases, by adding thereto a provision making the attorney's fees recoverable in certain suits for loss of, or damage to, express shipments, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

MOTION TO ADJOURN.

Mr. Patman moved that the House adjourn until 3:30 o'clock p. m. today.

Yeas and nays were demanded, and the motion to adjourn was lost by the following vote:

Yeas—16.

Bell.	Morgan
Cable.	of Robertson.
Carson.	Patman.
Fugler.	Smith.
Hardin	Storey.
of Kaufman.	Wallace.
Harrington.	Wessels.
Harris.	Wilson.
Price.	

Nays—102.

Abney.	Baker of Orange.
Amsler.	Baldwin.
Arnold.	Barker.
Atkinson.	Barrett.
Avis.	Beasley.

Bird.	McDaniel.
Bonham.	McDonald.
Bryant.	McFarlane.
Burmeister.	McNatt.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carter of Coke.	Melson.
Carter of Hays.	Merriman.
Collins.	Merritt.
Covey.	Miller.
Cowen.	Montgomery.
Crawford.	Morgan
Davenport.	of Liberty.
Davis.	Pate.
DeBerry.	Patterson.
Dielmann.	Perdue.
Dodd.	Pinkston.
Driggers.	Pool.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Purl.
Durham.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Finlay.	Rogers.
Frnka.	Rountree.
Gipson.	Russell
Green.	of Callahan.
Greer.	Sackett.
Henderson	Satterwhite.
of Marion.	Shearer.
Henderson	Shires.
of McLennan.	Simpson.
Hendricks.	Sparkman.
Houston.	Stevens.
Howeth.	Stewart
Hull.	of Edwards.
Irwin.	Stewart of Jasper.
Jacks.	Stewart of Reeves.
Jennings.	Stroder.
Johnson.	Sweet.
Jones.	Thompson.
Kemble.	Thrasher.
Lackey.	Turner.
Laird.	Vaughan.
Lamb.	Wells.
Lane.	Wilmans.
LeSturgeon.	Winfree.
Looney.	Young.
McBride.	

Present—Not Voting.

Westbrook.

Absent.

Blount.	Loftin.
Brady.	Lusk.
Carpenter	McKean.
of Dallas.	Martin.
Chitwood.	Moore.
Coffee.	Robinson.
Culp.	Sanford.
Downs.	Strickland.
Edwards.	Teer.
LeMaster.	Williamson.
Lewis.	

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

HOUSE BILL NO. 305 ON ENGROSSMENT.

The Speaker laid before the House as unfinished business, on its passage to engrossment,

H. B. No. 305, A bill to be entitled "An Act providing for uniformity in ad valorem taxes for State purposes; creating a State tax board; amending Articles 7407, 7408, 7409, 7411, 7414, 7418 and 7423, Revised Civil Statutes, and adding to Chapter 4, Title 126, two new articles to be numbered Articles 7411a and 7411b, so as to effectuate the purpose of this act, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Satterwhite pending.

On motion of Mr. Satterwhite, further consideration of the bill was postponed until 10:30 o'clock a. m. next Friday.

HOUSE BILL NO. 103 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 103, A bill to be entitled "An Act in the interest of maternity and infancy welfare and hygiene; accepting the provisions of an act of the United States Congress approved November 23, 1921, entitled 'An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes,' commonly known as the Shepard-Towner Act; providing that the work shall be carried on through the State Board of Health through its bureau of child hygiene."

The bill was read third time.

Mr. Baldwin moved to postpone further consideration of the bill indefinitely and the motion to postpone was lost.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 103 was then passed by the following vote:

Yeas—95.

Amsler.	Avis.
Arnold.	Baker of Orange.

Barker.	Martin.
Barrett.	Mathes.
Beasley.	Maxwell.
Bell.	Melson.
Bonham.	Miller.
Bryant.	Montgomery.
Burmeister.	Morgan
Cable.	of Robertson.
Carpenter	Pate.
of Matagorda.	Patman.
Carter of Coke.	Patterson.
Carter of Hays.	Perdue.
Chitwood.	Pool.
Coffee.	Pope.
Covey.	Potter.
Cowen.	Price.
Crawford.	Purl.
DeBerry.	Quaid.
Dodd.	Quinn.
Downs.	Rice.
Driggers.	Rogers.
Duffey.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Durham.	Sackett.
Faubion.	Satterwhite.
Fields.	Shearer.
Finlay.	Simpson.
Fugler.	Smith.
Gipson.	Sparkman.
Greer.	Stevens.
Harrington.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Houston.	Stroder.
Hull.	Sweet.
Irwin.	Teer.
Jacks.	Thrasher.
Jennings.	Turner.
Jones.	Vaughan.
Kemble.	Wallace.
Laird.	Wells.
Lamb.	Westbrook.
Lane.	Wilman.
McBride.	Wilson.
McDonald.	Winfree.
McFarlane.	Young.
McNatt.	

Nays—25.

Abney.	Lackey.
Baldwin.	LeStourgeon.
Bird.	Loftin.
Carson.	Looney.
Collins.	McDaniel.
Davis.	Merriman.
Dielmann.	Merritt.
Frnka.	Morgan
Green.	of Liberty.
Hardin	Shires.
of Kaufman.	Storey.
Henderson	Thompson.
of McLennan.	Wessels.
Howeth.	

Absent.

Atkinson. Blount.

Brady.	Lewis.
Carpenter	Lusk.
of Dallas.	McKean.
Culp.	Moore.
Davenport.	Pinkston.
Edwards.	Robinson.
Harris.	Sanford.
Johnson.	Strickland.
LeMaster.	Williamson.

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

Mr. Dodd moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 132 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 132, A bill to be entitled "An Act to amend Article 465 of the Code of Criminal Procedure of the State of Texas, and to further define the mode of prosecuting the offense of perjury in certain cases."

The bill was read third time and was passed.

Mr. Fields moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 103 ON SECOND READING.

On motion of Mr. Chitwood, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 103, A bill to be entitled "An Act to establish a State college in that portion of Western Texas lying west of the 98th meridian and north of the 30th parallel, to be known as the West Texas State College, providing for the location of such college, its government, the control of its finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the purchase of lands, the location, establishment and maintenance of said college, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 103 ON THIRD READING.

Mr. Chitwood moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Lackey.
Amsler.	Laird.
Arnold.	Lamb.
Avis.	Lane.
Baldwin.	LeStourgeon.
Barker.	Loftin.
Bell.	McDaniel.
Blount.	McDonald.
Bonham.	McFarlane.
Brady.	McNatt.
Bryant.	Martin.
Burmeister.	Mathes.
Carson.	Maxwell.
Carter of Coke.	Melson.
Carter of Hays.	Merriman.
Chitwood.	Merritt.
Coffee.	Miller.
Collins.	Montgomery.
Covey.	Moore.
Cowen.	Morgan
Crawford.	of Robertson.
Davenport.	Pate.
DeBerry.	Patman.
Dielmann.	Patterson.
Dodd.	Perdue.
Downs.	Pope.
Driggers.	Potter.
Duffey.	Price.
Dunlap.	Purl.
Dunn.	Quaid.
Durham.	Quinn.
Edwards.	Rice.
Faubion.	Robinson.
Frnka.	Rogers.
Fugler.	Russell
Gipson.	of Callahan.
Green.	Sackett.
Greer.	Satterwhite.
Harrington.	Shearer.
Harris.	Shires.
Henderson	Simpson.
of Marion.	Sparkman.
Henderson	Stevens.
of McLennan.	Stewart
Hendricks.	of Edwards.
Houston.	Stewart of Jasper.
Irwin.	Stewart of Reeves.
Jacks.	Storey.
Jennings.	Stroder.
Jones.	Sweet.
Kemble.	Teer.

Thompson.
Thrasher.
Turner.
Vaughan.
Wallace.

Wells.
Wilmans.
Wilson.
Winfree.
Young.

Nays—16.

Abney.	Fields.
Atkinson.	Finlay.
Baker of Orange.	Hardin
Barrett.	of Kaufman.
Beasley.	Howeth.
Cable.	Looney.
Carpenter	Pinkston.
of Matagorda.	Westbrook.
Davis.	Wessels.

Present—Not Voting.

Bird. McBride.

Absent.

Carpenter	Morgan
of Dallas.	of Liberty.
Culp.	Pool.
Hull.	Rountree.
Johnson.	Sanford.
LeMaster.	Smith.
Lewis.	Strickland.
Lusk.	Williamson.
McKean.	

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

The Speaker then laid Senate bill No. 103 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	Covey.
Amsler.	Cowen.
Arnold.	Davenport.
Avis.	DeBerry.
Baldwin.	Dielmann.
Bell.	Dodd.
Blount.	Downs.
Bonham.	Driggers.
Bryant.	Duffey.
Burmeister.	Dunlap.
Carpenter	Dunn.
of Matagorda.	Durham.
Carson.	Edwards.
Carter of Coke.	Faubion.
Carter of Hays.	Frnka.
Chitwood.	Fugler.
Coffee.	Gipson.
Collins.	Green.

Greer.	Pool.
Harrington.	Pope.
Harris.	Potter.
Henderson	Price.
of Marion.	Purl.
Henderson	Quaid.
of McLennan.	Quinn.
Hendricks.	Rice.
Houston.	Rogers.
Irwin.	Russell
Jacks.	of Callahan.
Jennings.	Sackett.
Jones.	Satterwhite.
Kemble.	Shearer.
Lackey.	Shires.
Laird.	Simpson.
Lamb.	Smith.
Lane.	Sparkman.
LeSturgeon.	Stevens.
Loftin.	Stewart
McDaniel.	of Edwards.
McDonald.	Stewart of Reeves.
McFarlane.	Storey.
McNatt.	Sweet.
Mathes.	Teer.
Maxwell.	Thrasher.
Merriman.	Turner.
Merritt.	Wells.
Miller.	Williamson.
Moore.	Wilson.
Patman.	Winfree.
Patterson.	Young.
Perdue.	

Nays—26.

Abney.	McBride.
Atkinson.	Morgan
Baker of Orange.	of Liberty.
Barrett.	Morgan
Beasley.	of Robertson.
Bird.	Pate.
Cable.	Pinkston.
Crawford.	Robinson.
Davis.	Stewart of Jasper.
Fields.	Stroder.
Finlay.	Thompson.
Hardin	Westbrook.
of Kaufman.	Wessels.
Howeth.	Wilmans.
Looney.	

Absent.

Barker.	McKean.
Brady.	Martin.
Carpenter	Melson.
of Dallas.	Montgomery.
Culp.	Rountree.
Hull.	Sanford.
Johnson.	Strickland.
LeMaster.	Vaughan.
Lewis.	Wallace.
Lusk.	

Absent—Excused

Baker of Milam.	Hardin of Erath.
Bobbitt.	Hughes.
Dinkle.	Rowland.

Russell of Trinity. Stiernberg.
Stell.

Mr. Jennings moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO ADJOURN.

Mr. Satterwhite moved that the House adjourn until 3:57 o'clock p. m. today, and the motion was lost.

HOUSE BILL NO. 169 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 169, A bill to be entitled "An Act amending Section 3 of an act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to provide for the purchase and distribution by the State of free textbooks to the public school children of the State of Texas,' etc., being Senate bill No. 118, Chapter 29, of said Regular Session Laws, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Dielmann moved the previous question on the bill and the main question was ordered.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 169 was then passed by the following vote:

Yeas—102.

Mr. Speaker.	Culp.
Abney.	Davenport.
Amsler.	Davis.
Arnold.	DeBerry.
Atkinson.	Dielmann.
Avis.	Dodd.
Baker of Orange.	Downs.
Baldwin.	Driggers.
Barker.	Duffey.
Barrett.	Dunn.
Beasley.	Durham.
Bird.	Edwards.
Bonham.	Faubion.
Bryant.	Fields.
Burmeister.	Finlay.
Cable.	Frnka.
Carson.	Fugler.
Carter of Coke.	Gipson.
Carter of Hays.	Green.
Coffee.	Greer.
Collins.	Hardin
Cowen.	of Kaufman.
Crawford.	Hendricks.

Henderson	Perdue.
of Marion.	Pinkston.
Henderson	Pool.
of McLennan.	Pope.
Houston.	Potter.
Howeth.	Price.
Irwin.	Quinn.
Jacks.	Rice.
Jennings.	Robinson.
Johnson.	Rogers.
Kemble.	Russell
Lackey.	of Callahan.
Laird.	Sackett.
Lane.	Shearer.
LeSturgeon.	Shires.
Loftin.	Simpson.
Looney.	Sparkman.
McBride.	Stevens.
McDaniel.	Stewart
McDonald.	of Edwards.
McFarlane.	Stewart of Jasper.
Maxwell.	Storey.
Melson.	Stroder.
Merriman.	Teer.
Merritt.	Thompson.
Miller.	Thrasher.
Montgomery.	Wells.
Morgan	Westbrook.
of Liberty.	Wessels.
Pate.	Williamson.
Patman.	Wilmans.
Patterson.	Young.

Nays—23.

Bell.	Morgan
Blount.	of Robertson.
Carpenter	Purl.
of Matagorda.	Quaid.
Covey.	Rountree.
Harrington.	Satterwhite.
Harris.	Smith.
Jones.	Stewart of Reeves.
Lamb.	Sweet.
McNatt.	Wallace.
Martin.	Wilson.
Mathes.	Winfree.
Moore.	

Absent.

Brady.	Lewis.
Carpenter	Lusk.
of Dallas.	McKean.
Chitwood.	Sanford.
Dunlap.	Strickland.
Hull.	Turner.
LeMaster.	Vaughan.

Absent—Excused

Baker of Milam.	Rowland.
Bobbitt.	Russell of Trinity.
Dinkle.	Stell.
Hardin of Erath.	Stiernberg.
Hughes.	

Mr. Pope moved to reconsider the

vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

ADJOURNMENT.

On motion of Mr. Patman, the House, at 3:58 o'clock p. m., adjourned until 4 o'clock p. m. Tuesday, February 6.

TWENTY-SECOND DAY.

(Tuesday, February 6, 1923.)

The House met at 4 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Gipson.
Amsler.	Green.
Arnold.	Greer.
Atkinson.	Hardin
Avis.	of Kaufman.
Baker of Orange.	Harrington.
Baldwin.	Harris.
Barker.	Henderson
Barrett.	of Marion.
Beasley.	Henderson
Bell.	of McLennan.
Bird.	Hendricks.
Blount.	Houston.
Bonham.	Howeth.
Bryant.	Hull.
Burmeister.	Irwin.
Cable.	Jacks.
Carpenter	Jennings.
of Matagorda.	Johnson.
Carson.	Jones.
Carter of Coke.	Kemble.
Carter of Hays.	Lackey.
Chitwood.	Laird.
Coffee.	Lamb.
Collins.	Lane.
Covey.	LeSturgeon.
Cowen.	Lewis.
Crawford.	Loftin.
Davenport.	Looney.
Davis.	McBride.
DeBerry.	McDaniel.
Dielmann.	McDonald.
Dodd.	McFarlane.
Downs.	McNatt.
Driggers.	Martin.
Duffey.	Melson.
Dunlap.	Merriman.
Dunn.	Merritt.
Durham.	Miller.
Edwards.	Moore.
Faubion.	Morgan
Fields.	of Liberty.
Finlay.	Morgan
Frnka.	of Robertson.
Fugler.	Pate.